



EL 912000
Docket No. 3123-408 US2

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Mark A. EMALFARB *et al.*

Serial No. : 09/284,152

Group Art Unit : 1652

Filed : June 3, 1999

Examiner : C. FRONDA

For : CHRYSOSPORIUM CELLULASE AND METHODS OF USE

#13
M.Q.
10/3/01

RESPONSE UNDER 37 CFR §1.111

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

This communication is in response to the Office Action mailed March 27, 2001, for which a response was due June 27, 2001. A petition and fee for a 3-month extension of time is enclosed herewith, extending the time for filing a response to September 27, 2001, therefore this response is timely filed.

REMARKS

Claim rejections under 35 U.S.C. §112, first paragraph. Claims 2-66 and 80-83 are rejected on the grounds that they contain subject matter which is not described in the specification in such a way as to convey that Applicants had possession of the invention at the time the application was filed. The Examiner's specific grounds for rejection are set forth and responded to below.

The Examiner contends that claims 2, 4, and 83 are directed to "all possible mutant cellulases" obtained from the genus *Chrysosporium*. First, Applicants note that these claims are not directed to "mutant cellulases," but to mutant *Chrysosporium* fungi (claim 83) and to cellulases derived therefrom (claims 2 and 4).